IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 7380 of 2007(C)

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PETITIONER:

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SOJA RAPPAI, PULIKKOTTIL HOUSE,
NAMBIYAPURAM, PALLURUTHY, ERNAKULAM.

BY ADV. SRI.N.SUKUMARAN
SRI.S.SHYAM
SRI.LATHEESH SEBASTIAN

RESPONDENTS:

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1. COMMISSIONER OF POLICE,
COCHIN CITY, ERNAKULAM.

2. KERALA POLICE ASSOCIATION,
COCHIN CITY DISTRICT COMMITTEE,
REPRESENTED BY ITS SECRETARY,
PERUMANOOR, COCHIN.

3. THE STATION HOUSE OFFICER,
THEVARA POLICE STATION,
COCHIN CITY.

BY GOVT. PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**THOTTATHIL B.RADHAKRISHNAN, J.**

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W.P(C).No.7380 OF 2007

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Dated this the 16th day of March, 2007

**JUDGMENT**

The petitioner was conducting the police canteen attached to the South Thevara Police Station. Going by the materials on record, it appears that she was given the right to continue for 1 ½ years on condition that she stands for repairing the premises etc. in terms of Ext.P3. As of now, the officials have published notification to auction out the licence rights in relation to two police canteens within the city limit, one attached to Thevara police station and one attached to the Central police station. This, essentially, is in the realm of contracts. Not only that, I do not deem it advisable to have adjudication of writ jurisdiction where the petitioner had spent money and carried out the repair works in terms of Ext.P3. Learned Government Pleader also submits on instructions that it is abundantly necessary to immediately ensure that quality food is supplied to the policemen.

2. I am of the view that the petitioner, aggrieved of any commercial loss owing to the decision of the respondents, would necessarily have appropriate alternate remedies in law. Under such circumstances also I do not find any necessity to retain this writ petition.

In the result, this writ petition is dismissed without prejudice to the right of the petitioner to any other relief, if entitled to in accordance with law. To let the petitioner remove her belongings from the site in question, it is ordered that the petitioner will not be dispossessed until 31.3.2007.

**THOTTATHIL B.RADHAKRISHNAN**
**Judge**

kkb.